

EXHIBIT N

SMALL BUSINESS ADVANTAGE

Marcia Layton Turner

SEARCH S

Advanced S

BusinessWeek online

TOP NEWS

BW MAGAZINE

INVESTING

ASIA

EUROPE

TECHNOLOGY

AUTOS

INNOVATION

SMALL BIZ

B SCHOOL

FEBRUARY 7, 2005

VIEWPOINT

By Stuart Cohen

BUSINESS DIRECTORY

Stop searching,
start finding!

- Accounting
- Air Charter
- Antivirus / Antispam Solutions

POWERED BY
DIRECTORiUM

PREMIUM CONTENT

MBA Insider

BW MAGAZINE

Get Four Free Issues

Register

Subscribe

Customer Service

ONLINE FEATURES

Book Reviews

BW Video

Columnists

Interactive Gallery

Newsletters

Past Covers

Philanthropy

Podcasts

Special Reports

BLOGS

Auto Beat

Blogspotting

Brand New Day

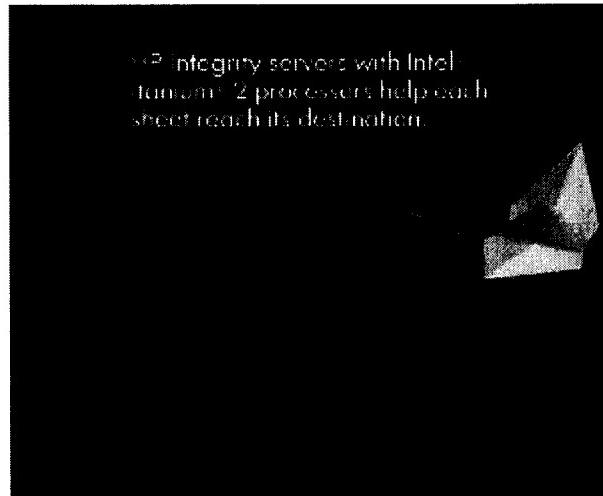
**How SCO's Threats
Rallied Linux**

Thanks to quick action from fans large and small, the legal offensive against the open-source software is helping make it stronger

We all read the headlines warning of dark times ahead for Linux and the open-source software movement.

"Suit imperils prospects for Linux," said the *Boston Globe*. "Free software faces a rocky road to court," warned *The Financial Times*. "One billion dollar lawsuit against IBM could taint Linux," cautioned the *Seattle Times*.

ADVERTISEMENT



Starting early in 2003, these and other stories detailed at length SCO Group's legal actions against suppliers and customers of Linux. Don't blame journalists for these dire reports. With IBM (IBM), Novell (NOVL), Red Hat (RHAT), DaimlerChrysler (DCX), and AutoZone (AZO) accused in court of using stolen

Get 4 FREE Issues!



STORY TOOLS

- Printer-Friendly Version
- E-Mail This Story



TOP POPULAR

1. AMD Intel
2. Ram Victim
3. Intel Offer
4. Click
5. App Home

Get Free I

MARKET

DJIA
S&P 500
Nasdaq

STOCKS

Stocks &
Remarks:
Data
Create / C
Launch P

POLL INSTANT SURVEY >>

News of a widening federal investigation into Dell's finances is the latest in a series of unsettling disclosures by the computer maker. What's the biggest challenge facing Dell?

- Finance probes
- Customer service
- Price pressure
- Competition
- Management
- Not sure

VIEW POLL RESULTS >>

PEOPLE SEARCH

Byte of the Apple
Deal Flow
Economics Unbound
Fine On Media
Hot Property
Investing Insights
New Tech in Asia
NussbaumOnDesign
Tech Beat
Working Parents
TECHNOLOGY

J.D. Power Ratings
Product Reviews
Tech Stats
Wildstrom: Tech Maven

AUTOS

Home Page
Auto Reviews
Classic Cars
Car Care & Safety
Hybrids

INNOVATION & DESIGN

Home Page
Architecture
Brand Equity
Auto Design
Game Room
SMALLBIZ

Smart Answers
Success Stories
Today's Tip

INVESTING

Investing: Europe
Annual Reports
BW 50
S&P Picks & Pans
Stock Screeners
Free S&P Stock Report

SCOREBOARDS

Hot Growth 100
Mutual Funds
Info Tech 100
S&P 500

B-SCHOOLS

Undergrad Programs
MBA Blogs
MBA Profiles
MBA Rankings
Who's Hiring Grads

BW EXTRAS

software code or maligning SCO's title to Unix, and with a lawyer like David Boies -- whose clients have included IBM and the Justice Department in the Microsoft (**MSFT**) antitrust case -- on its team, SCO had to be taken seriously when it reportedly sent 1,500 letters to the world's largest corporations threatening them with legal action.

BOOMERANG EFFECT. But a funny thing happened on the way to the courthouse: Instead of mortally wounding Linux, the litigation and threats only made it stronger. According to the market research firm IDC, annual Linux-related information-technology revenue prior to the SCO allegations was less than \$10 billion. In 2004 the estimate exceeded \$14 billion, and IDC projects that sales should reach \$35 billion by 2008.

Guess what? The SCO litigation and surrounding media hoopla actually helped accelerate Linux's popularity -- and its legal foundation. SCO's legal offensive was effectively a wake-up call for a community, mobilizing and uniting a large but disparate group of customers and developers around a single cause. It spurred the Linux community to get its house in order. Its response revealed to the world how large that house had become and gave Linux newfound credibility.

Linux developers, assisted by such interested parties as the Free Software Foundation, Groklaw, and my own organization, the Open Source Development Lab (OSDL), went to work to systematically examine every claim SCO put forth. As part of this grassroots effort, corporate developers and freelance contributors investigated and vetted the code from A to Z -- and back again. Offers to extract and rewrite any offending code in the Linux kernel were fielded from all over the globe.

EDUCATION CAMPAIGN. OSDL initiated several programs specifically designed to increase Linux customer confidence and peace of mind. In January, 2004, OSDL created the Linux Legal Defense Fund to defray the legal expenses of Linux customers involved in litigation with SCO Group. Separately, OSDL worked directly with the Linux kernel community -- the people who develop the heart of Linux software -- to institute the Developer's Certificate of Origin (DCO) to facilitate future audits of contributions to the Linux kernel. We also initiated an industrywide education campaign to promote understanding of how Linux is "built" and to reaffirm the sound practices underlying that building process.

All of these efforts and others soon to come will continue in 2005 and beyond. They won't because of lawsuits such as SCO's or the quiet conversations already started by those who suggest patents as the next battleground. Collectively, these steps taken by the friends of Linux and open-source will continue to help this market mature and solidify its legal foundation.

This swift response to SCO's allegations is to be expected from those with a commercial interest in Linux' growth and success. More surprising -- and more important -- is the response of Linux customers. Many quickly joined the debate, denouncing SCO's actions. Moreover, thousands of companies conducted due diligence on the open-source software they had been using. These internal audits

Search for business contacts:

First Name :

Last Name :

Company Name :

PREMIUM SEARCH

Search by job title,
geography and build a list
of executive contacts

**Tech White Papers**

- ▶ Most Recent
- ▶ Most Popular

4.5

40,

Find
SAS
can

BW Digital
 BW Mobile
 BW Online Alerts
 Dashboard Widgets
 Podcasts [RSS 2.0](#)
 RSS Feeds [RSS 2.0](#)
 Reprints / Permissions
 Conferences
 Research Services

and license compliance reviews became the most sweeping and intensive since the Y2K overhaul.

A GREAT GIFT. The result? I don't believe any evidence was found that Linux exposes customers to risks much different from, or any more threatening than, those associated with proprietary software. And the reviews also generated a greater appreciation among customers for the open-source software development process.

This vindication is perhaps SCO's greatest gift to the industry. The lawsuits and threatening letters literally forced customers to actively review and ultimately approve and endorse the use of Linux within their info-tech infrastructure.

On the way to the courthouse, we can thank SCO for helping to move Linux even faster from the fringe of the computer network to the heart of the data center.

Cohen is CEO of the Open Source Development Lab

BW MALL SPONSORED LINKS

- **Save over 50% on your Business Phone Bills!** Packet8 VoIP-Hosted PBX is \$39.99/month including Auto Attendant, Unlimited calling to the U.S. & Canada, Ext. to Ext. Dialing, Conference Bridge, Voicemail to Email and much more! Click for a free 5-minute VoIP cost analysis and start saving today!
- **Trade with FOREX.com** Sign up for a free \$25,000 practice account. Advanced trading platform with real-time quotes, charts, news, research. Mini accounts from \$250. No commissions - ever.
- **Buy, Sell or Rent Used Cisco Equip-Save up to 85%** Digital Warehouse buys, sells, & rents used Cisco networking hardware such as routers, switches and access servers, along with used hardware from Extreme & Foundry at 50-80% off list price. One year warranty and fast delivery.
- **GotVMail - Make your small business sound BIG!** Toll free or local number, multiple mailboxes, live call forwarding, and more. Starting @ \$9.95 a month.
- **Mac Service and Support** Nationwide On-Site Home & Office Troubleshooting, Training, Networking, Upgrades, Graphics, Database, Digital Video
[Buy a link now!](#)

Get BusinessWeek directly on your desktop with our [RSS feeds](#).

Add BusinessWeek news to your Web site with our [headline feed](#).

Click to buy an [e-print or reprint](#) of a *BusinessWeek* or *BusinessWeek Online* story or video.

To subscribe online to *BusinessWeek* magazine, please [click here](#).

Learn more, go to the [BusinessWeekOnline home page](#)

[BACK TO TOP](#)

[Terms of Use](#) | [Privacy Notice](#)

[Media Kit](#) | [Special Sections](#) | [MarketPlace](#) | [Knowledge Centers](#)

The McGraw-Hill Companies